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CENTRAL MAIL ROOM
OCT 04 2006Application No. 10/747,793
Amendment dated: October 4, 2006

Docket No.: JNT/01

REMARKS

Reconsideration of this application as amended, is respectfully requested. The amendment should be entered since no new issues have been raised and it clearly places the application in condition for allowance. Furthermore, no new issues requiring further search or consideration by the Examiner are presented.

I. Status of the Claims

Claims 1, 3, 7, 9, 14-16 and 18 have been amended. The amendments do not add new matter.

Claim 2, 8, and 12 have been canceled.

Claims 1, 3-7, 9-11, 13-21 are pending in this application.

II. Acknowledgement of Allowable Subject Matter

I acknowledge the Patent Office's indication that claim 21 is allowed and claims 2, 3, 8, 9 and 14-18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. I have placed all pending claims in condition for allowance.

III. Telephone Interview

I would like to thank the Examiner for all the courtesies extending during the telephone interview held on October 4, 2006 during which we discussed the Radmall reference and state of the rejected claims. If there are any issues which the Examiner believes could be resolved through either, a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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IV. Rejections Under 35 U.S.C. § 103(a)

Claims 1, 4-7, 10, 11, 13, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable for obviousness over GB-210,259 to Radmall et al. in view of U.S. Patent No. 5,364,199 to Hillmer-Mann.

Independent claim 1 has been amended to include the limitations in dependent claim 2. Independent claim 7 has been amended to include the limitations in dependent claim 8. The Examiner indicated that claims 2 and 8 would be allowable if rewritten in independent form to include all of the limitation of the base claim. All remaining claims, with the exception of claim 21 which was indicated as allowed, depend from amended claims 1 and 7. Accordingly, the above amendments render this rejection moot and I respectfully request that all pending claims be allowed and the case passed to issue.

V. Publication Concern

You're attention is kindly requested as the below publication issue is of the utmost importance to myself. I requested on the application data sheet which was filed with the application that Figure 5A be used for publication as it is the most descriptive of the present invention as claimed. I note that the published application shows Figure 4A on its cover. Figure 4A describes a method of using the present invention and is not the most descriptive figure for the apparatus as claimed. I would be greatly obliged if you could take the appropriate steps to see that Figure 5A (or Figures: 5A & 5B if necessary) are used for publication on the face of any patent issuing from the present application.

Likewise, I note that first and second preliminary amendments were timely filed in this case containing several amendments to the specification, figure listing, and abstract which did not make it into the published application correctly. If at all possible I would be interested in taking whatever steps are necessary to confirm that all the specification amendments were properly made prior to any issuance so as to prevent the need for the filing of a cert. of correction. Alternatively, if the Examiner could give the specification a look-through for correctness with respect to the preliminary specification amendments without extreme burden, I would be greatly appreciated.

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CONCLUSION

In view of the above amendments and remarks, it is believed that claims 1, 3-7, 9-11, 13-21 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through either, a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: October 4, 2006

Respectfully submitted,

By: 

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